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JUN 04 2007

Attorney Docket No. 05174/LH**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicants : Eiji TODA et al

Serial No. : 10/529,821

Filed : August 23, 2005

For : METHOD AND APPARATUS FOR  
CONTROLLING HYDRAULIC PUMP  
FOR WORKING MACHINE OF  
WORKING VEHICLE

Art Unit : 3671

Customer No.: 01933

Examiner : MITCHELL, Joel F.

Confirm. No.: 7730

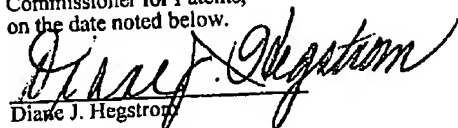
**INFORMATION DISCLOSURE STATEMENT  
WITH STATEMENT UNDER 37 CFR 1.97(e)**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a German Office Action (and English translation thereof) dated March 28, 2007 issued in a counterpart German application;
- (2) Copies of cited publications (except U.S. patents and publications); and
- (3) , IDS Form.

An English translation of the German Office Action is provided, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609.04(a)III).

CERTIFICATE OF FACSIMILE  
TRANSMISSION  
TO NO. 1-571-273-8300TOTAL PAGES: **73**I hereby certify that this  
paper is being facsimile  
transmitted to the  
Commissioner for Patents,  
on the date noted below.  
Diane J. HegstromDated: June 4, 2007

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

An English language Abstract is provided for DE 42 29 950.

JP 2003-184134 cited in the German Office Action was cited in Applicants' IDS filed on March 31, 2005, and is not cited again herein.

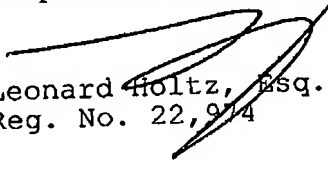
USP 4,886,422, USP 4,930,992 and USP 4,932,840 cited on the attached IDS Form are family members of DE 38 23 283 which is cited in the German Office Action.

**STATEMENT UNDER 37 CFR 1.97(e)(1)**

Each item of information contained in this Information Disclosure Statement was first cited in any communication from foreign patent offices in counterpart foreign applications not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of March 28, 2007. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

It is respectfully requested that the Examiner consider the present IDS and the prior IDS and that initialed copies of the IDS Forms be returned to indicate that the documents listed therein have all been considered and made of record.

Respectfully submitted,

  
Leonard Holtz, Esq.  
Reg. No. 22,914

Encls.

Dated: June 4, 2007

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>IDS FORM</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number		10/529,821		
				Filing Date		August 23, 2005		
				First Named Inventor		Eiji TODA et al		
				Group Art Unit		3671		
				Examiner Name		MITCHELL, Joel F.		
Sheet	1	of	1	Attorney Docket Number		05174/LH		
<b>U.S. PATENT DOCUMENTS</b>								
Exam. Inits*	Cite No <sup>1</sup>	Document Number	Kind Code <sup>2</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion		
		4,886,422		TAKEUCHI et al	12-12-1989			
		4,930,992		TAKEUCHI et al	06-05-1990			
		4,932,840		TAKEUCHI et al	06-12-1990			
<b>FOREIGN PATENT DOCUMENTS</b>								
Exam. Inits*	Cite No <sup>1</sup>	Off <sup>3</sup>	Document Number <sup>4</sup>	Kind Code <sup>5</sup>	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T <sup>6</sup>
		DE	38 23 283	C2	TOKYO KEIKI CO., LTD.	09-10-1992		
		DE	42 29 950	C2	HEMSCHIEDT MACHINENTECHNIK SCHWERIN GmbH & CO.	03-24-1994		x
		EP	0 462 589	B1	HITACHI CONSTRUCTION MACHINERY CO., LTD.	04-12-1995		
x Includes English language Abstract.								
Examiner Signature				Date Considered				

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible. <sup>6</sup> Place a check here if English translation is attached.

DATE MAILED: June 4, 2007